

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 02721PC/IDJ	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).
International Application No. PCT/AU2003/000962	International Filing Date (day/month/year) 30 July 2003	Priority Date (day/month/year) 30 July 2002
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ A41D 13/00		
Applicant AUSTIN, Maehé Ranginui et al		

This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

- ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 2 sheet(s).

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 24 December 2003	Date of completion of the report 19 November 2004
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer VINCE BAUSAUSKAS Telephone No. (02) 6283 2110

I. Basis of the report**1. With regard to the elements of the international application:***

- ☐ the international application as originally filed.
- ☒ the description, pages 1-16, as originally filed,
pages , filed with the demand,
pages , received on with the letter of
- ☒ the claims, pages , as originally filed,
pages , as amended (together with any statement) under Article 19,
pages , filed with the demand,
pages 17-18, received on 8 April 2004 with the letter of 8 April 2004
- ☒ the drawings, pages 1/6-6/6, as originally filed,
pages , filed with the demand,
pages , received on with the letter of
- ☐ the sequence listing part of the description:
pages , as originally filed
pages , filed with the demand
pages , received on with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig.

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims 1-10	YES
	Claims NIL	NO
Inventive step (IS)	Claims 1-10	YES
	Claims NIL	NO
Industrial applicability (IA)	Claims 1-10	YES
	Claims NIL	NO

2. Citations and explanations (Rule 70.7)

The invention is a clothing article worn by miners for attaching apparatus to comprising at least one front portion and at least one rear portion separate from but attachable to the front portion and at least one attachment means for the releasable attachment of equipment located on at least one of the portions.

No individual citation or obvious combination of citations discloses a clothing article of this structure.

The closest art of AU 200022277 provides an article of clothing suitable for attaching apparatus to but this clothing does not comprise front and rear portions that are separate but attachable to each other.

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

1. Claim 5 as lodged on the 8 April 2004 on amended sheets 17 and 18 has the passage "the bore to lock the spring plate in place within the bore, and a second released position where the locking rebate is" repeated on lines 1 and 2 of page 18.

CLAIMS:

1. A clothing article worn by miners for attaching apparatus with increased availability and better weight distribution which comprises at least one front portion and at least one rear portion separate from but attachable to
5 the at least one front portion, and at least one attachment means for the releasable attachment of equipment located on at least one of the portions.
2. A clothing article according to claim 1 wherein the clothing article is a mining vest.
3. A clothing article according to claim 1, further comprising a belt
10 wherein the belt is releasably attached to a lower portion of the clothing article to provide additional support for equipment attached to either the belt or the front or rear portions.
4. A clothing article as claimed in claim 3 wherein the at least one attachment means is associated with the clothing article for the releasable
15 attachment of equipment, the attachment means comprising a locking portion, the locking portion having a bore, and a resilient spring plate which is removably located in the bore, the spring plate having a shoulder portion to abut the locking portion when in the bore, an angled portion to bias the spring plate and a locking rebate movable between a first locked position where the
20 locking rebate abuts a lower edge of the bore to lock the spring plate in place within the bore, and a second released position where the locking rebate is free from the lower edge of the bore, one of the locking portion or the spring plate attached to the clothing article and the other attached to the equipment to allow releasable attachment of the equipment to the clothing article.
- 25 5. A clothing article according to claim 4 wherein the attachment means comprises a locking portion, the locking portion having a bore, and a resilient spring plate attached to the equipment for use by the user which is removably located in the bore, the spring plate having a shoulder portion to abut the locking portion when in the bore, an angled portion to bias the spring
30 plate and a locking rebate movable between a first locked position where the locking rebate abuts a lower edge of the bore to lock the spring plate in place within the bore, and a second released position where the locking rebate is

the bore to lock the spring plate in place within the bore, and a second released position where the locking rebate is free from the lower edge of the bore.

6. A clothing article according to claim 1 wherein the clothing article
 5 comprises three portions, a back portion and two separate side portions releasably attachable to the back portion.

7. A clothing article according to claim 6 further comprising a belt wherein the belt is releasably attached to a lower section of the back portion and the belt includes a lumbar support belt which is adapted to be wrapped
 10 about a wearer's lower torso.

8. A clothing article according to claim 7 wherein at least one portion of the lumbar support belt includes at least one attachment means to attach the side portions of the clothing article to the back portion of the clothing article to provide a size adjustable clothing article.

15 9. A clothing article according to claim 3 further comprising a safety harness releasably attachable to one or more harness straps associated with the clothing article and/or the belt.

10. A clothing article according to claim 1 further comprising a
 20 "camel back™" water storage or hydration system associated a portion of the clothing article.